

## **REMARKS**

### **Allowable Claims 7-11**

The indication that dependent claims 7-12 define allowable subject matter and would be allowed if rewritten in independent form to include all of the limitations of base claim 1 and any intervening claims is acknowledged with appreciation.

Claim 7 has been rewritten in independent form to include all the limitations of original claim 1 on which it was directly dependent. Accordingly, amended independent claim 7 and claims 8-10, each ultimately dependent thereon, are believed to now be in a proper form and condition for allowance and such action is requested.

Original claim 11/5/1 has been rewritten in independent form to include all of the limitations of original claims 5 and 1 and is further amended to positively recite a fuel pump carried by the carburetor body on one side of the air intake passage to provide the proper antecedent basis for "the fuel pump" recited in original claim 11. Accordingly, claim 11 is believed to now be in a proper form and condition for allowance and such action is respectfully requested.

### **Rejection of Claims 1-6**

Claims 1-3 were rejected under 102(b) as being anticipated by Kawahara Japanese Publication 2000-186559 and claims 1-6 were rejected under 102(e) in view of Gerhardy U.S. Patent 6,328,228 presumably for anticipation although not explicitly stated.

## **The References**

The Japanese '559 Publication discloses a fuel-and-air scavenged engine in which a body with an air passage and a valve therein is mounted on the air cleaner inlet end of a carburetor with a barrel throttle valve and the Gerhardy '288 patent discloses an apparatus in which the body 18 with the valve 14 therein is mounted between air cleaner 16 and an engine 2 and disposed on a compensation chamber 12 side of the carburetor 3.

## **Amended Claim 1**

As amended, claim 1 defines an apparatus for delivering a fuel-and-air mixture and air to an engine comprising a carburetor having a body with an air intake passage with a throttle therein through which a fuel-and-air mixture is delivered to the engine, a fuel metering chamber carried on a first side of the body which is on one side of the air intake passage for supplying fuel to the intake passage, a fuel pump carried on a second side of the body on the other side of the air intake passage and generally opposed to the first side, and a separate air supply body carried by and mounted on the second side of the carburetor body (fuel pump side) and having at least one air passage with a control valve therein through which air is delivered to the engine, and the air valve is operably connected to the throttle valve to move between closed and fully opened positions in response to movement of the throttle valve partly between its idle and wide open positions.

This specific construction and arrangement has the significant practical advantages of providing a combined fuel supply and air scavenging apparatus which is of extremely economical manufacture and assembly because it can utilize a commercially

available so-called cubic carburetor produced in a large volume and having a body with a mixing passage and throttle valve therein with a fuel metering diaphragm chamber on one side of the body and passageway and a fuel pump on a generally opposed side of the carburetor body and passageway by simply mounting a separate body with an air passage and control valve therein on the fuel pump side of the carburetor body, and providing a suitable mechanical coupling and linkage preferably with a lost motion arrangement for opening and closing the air valve in response to movement of the carburetor throttle valve partway between its wide open and idle positions.

Neither this specific construction and arrangement nor its significant practical advantages are disclosed, suggested or taught to skilled persons by the Japanese '559 reference or the U.S. Gerhardy '288 patent whether considered alone or in combination. Accordingly, claim 1 as amended defines novel and patentable subject matter and is allowable for at least these reasons.

#### **Claims 6-12**

Each of claims 2-6 and 12 is ultimately dependent on amended claim 1 and hence defines patentable subject matter for at least these reasons. Claim 12 also defines patentable subject matter for at least the reasons it was deemed to define allowable subject matter if placed in independent form.

### Conclusion

As amended, each of claims 1-12 is believed to define novel and patentable subject matter under §§102 and 103 for at least the foregoing reasons and to be in a proper condition for an allowance. Accordingly, reconsideration and allowance of claims 1-12 as amended is respectfully requested.

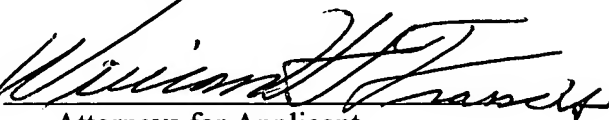
If, after considering this Response, the Examiner is of the view that any of the claims is not in a condition for allowance, a telephone interview with applicant's undersigned attorney William Francis is requested so that immediate consideration can be given to any further amendments suggested by the Examiner or otherwise needed to place all the claims in a condition for allowance. The Examiner is asked to initiate or schedule this interview by telephoning William Francis at (248) 689-3500 who normally can be reached Monday through Friday between 9:00 A.M. and 5:00 P.M.

Applicant is enclosing a Form PTO-1449 listing additional references which applicant is aware of and is not providing copies of the U.S. references but is including a copy of the Japanese reference. If there are any fees due with the presentation of this Information Disclosure Statement at this time or any other fees due as determined by Patent Office calculations, it is respectfully requested and authorized that these fees be charged to our Deposit Account No. 50-0852.

Respectfully submitted,

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WHF:sal

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